

CHAPTER 9

SECTION 12.1

CHANGES IN STATUS WHICH MAY RESULT IN LOSS OF TRICARE/CHAMPUS ELIGIBILITY

Issue Date: September 9, 1993

Authority: [32 CFR 199.3](#), Title 10, U.S.C., Chapter 55

I. ISSUE

When may an individual lose TRICARE/CHAMPUS eligibility?

II. BACKGROUND

This transfers the information in [32 CFR 199.3](#), on changes in family member status which may result in termination of TRICARE/CHAMPUS eligibility. We are transferring this information to provide easy reference.

III. POLICY

Events which may result in a loss of TRICARE/CHAMPUS eligibility as of 12:01 a.m. of the day following the day the event occurred are as follows:

A. Changes in the status of an active duty member (member):

1. When an active duty member's period of active duty ends, excluding retirement or death;
2. When an active duty member is placed on desertion status (eligibility is reinstated when active duty member is removed from desertion status);

B. Changes in the status of a retiree (former member):

1. When a retiree ceases to be entitled to retired, retainer or equivalent pay for any reason unless his or her family member is otherwise eligible (i.e., former spouse, some family members of abuse);
2. The retiree also loses eligibility when no longer entitled to retired, retainer, or equivalent pay.

C. Changes in the status as family member:

1. Divorce, except certain classes of former spouses (see [Chapter 9, Section 1.1B](#)) and the member or former member's own children (i.e., legitimate, adopted and judicially determined illegitimate child).

2. Annulment, except certain classes of former spouses (see [Chapter 9, Section 1.1B](#)) and the member or former member's own children (i.e., legitimate, adopted and judicially determined illegitimate child).

3. Adoption, except for adoptions occurring after the death of the member or former member.

4. Marriage of a child, except when the marriage is terminated by death, divorce or annulment before the child is 21 or 23 if an incapacitated child (see [Chapter 9, Section 8.1C](#)).

5. Marriage of widow or widower, except for the child of the widow or widower who was the stepchild of the deceased member or former member at the time of death. The stepchild continues TRICARE/CHAMPUS eligibility as other classes of dependent children.

6. Attainment of entitlement to hospital insurance benefits (Part A) under Medicare.

7. Attainment of age 65, except family members of active duty member's and beneficiaries not eligible for Part A Medicare.

8. End stage renal disease in certain circumstances.

9. Individuals with disability in certain instances.

10. Disabled students, that is children age 21 or 22, who become incapacitated by injury or illness during the school year, eligibility ceases 6 months after the disability is removed or when the student passes his or her 23rd birthday, whichever occurs first. (This class of dependent child is different than the incapacitated child defined in [Chapter 9, Section 8.1C](#) and may not qualify for eligibility under the requirements in [Section 8.1C](#).)

IV. POLICY CONSIDERATIONS

A. Beneficiaries who lose their eligibility because they reached the age limitation and were eligible for Part A, Medicare cannot be reinstated under TRICARE/CHAMPUS.

B. Beneficiaries entitled only to supplementary medical insurance (Part B) of Medicare, but not Part A, or Part A through the Premium-HI provision (provided for under the 1972 Amendments to the Social Security Act (reference (q))), retain eligibility under TRICARE/CHAMPUS.

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